

Please type a plus sign (+) inside this box ☐

05-31-01

09870144 053001

for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	017575.0680
First Inventor	Sevick-Muraca et al.
Title	Imaging of Light Scattering Tissues with Fluorescent Contrast Agents
Express Mail Label No.	EL48388421US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- ☐ Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Specification [Total Page 51]
(Preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 26]
- Oath and Declaration
 - ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 - ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☒ Other: Check for \$1,042.00

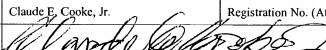
17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No.:
Prior application information: Examiner Group/Art Unit:
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☒ Customer Number of Bar Code Label 23,640 or ☐ Correspondence address below

Name	Claude E. Cooke, Jr.				
Address	One Shell Plaza 910 Louisiana				
City	Houston	State	TX	Zip Code	77002
County	US	Telephone	713-229-1848	Fax	713-229-2848

Name (Print/Type)	Claude E. Cooke, Jr.	Registration No. (Attorney/Agent)	34,142
Signature		Date	5-30-01

HOU03:777256.1

Burden Hour Statement: This form is estimated to take 0.2 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.

**FEE TRANSMITTAL
for FY 2001***Patent fees are subject to annual revision.***TOTAL AMOUNT OF PAYMENT** \$ 1,042.00**Complete if Known**

Application Number	New
Filing Date	05/30/01
First Named Inventor	Sevick-Muraca et al.
Examiner Name	Unassigned
Group Art Unit	Unassigned
Attorney Docket No.	017575.0680

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:
Deposit Account Number: 02-0383
Deposit Account Name:
☐ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:
☒ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)					
101 710	201 355				Utility filing fee	\$710.00
106 320	206 160				Design filing fee	
107 490	207 245				Plant filing fee	
108 710	208 355				Reissue filing fee	
114 150	214 75				Provisional filing fee	

SUBTOTAL (1) \$710.00**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from	Fee Paid
Independent Claims	Multiple Dependent	below	
34 - 20**	14 x	\$18.00	= \$252.00
4 - 3**	1 x	\$80.00	= \$ 80.00

Large Entity	Small Entity	Fee	Fee	Fee	Fee Description
Code (\$)	Code (\$)				
103 18	203 9				Claims in excess of 20
102 80	202 40				Independent Claims in excess of 3
104 270	204 135				Multiple dependent claim, if not paid
109 80	209 40				** Reissue independent claims over original patent
110 18	210 9				** Reissue claim in excess of 20 and over original patent

SUBTOTAL (2) \$1,042.00


** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)					
105 130	205 65				Surcharge - late filing fee or oath	
127 50	227 25				Surcharge - late provisional filing fee or cover sheet	
139 130	139 130				Non-English specification	
147 2,520	147 2,520				For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*				Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*				Requesting publication of SIR after Examiner action	
115 110	215 55				Extension for reply within first month	
116 390	216 195				Extension for reply within second month	
117 890	217 445				Extension for reply within third month	
118 1,390	218 695				Extension for reply within fourth month	
128 1,890	228 945				Extension for reply within fifth month	
119 310	219 155				Notice of Appeal	
120 310	220 155				Filing a brief in support of an appeal	
121 270	221 135				Request for oral hearing	
138 1,510	138 1,510				Petition to institute a public use proceeding	
140 110	240 55				Petition to revive - unavoidable	
141 1,240	241 620				Petition to revive - unintentional	
142 1,240	242 620				Utility issue fee (or reissue)	
143 440	243 220				Design issue fee	
144 600	244 300				Plant issue fee	
122 130	122 130				Petitions to the Commissioner	
123 50	123 50				Petitions related to provisional applications	
126 240	126 240				Submission of Information Disclosure Sheet	
581 40	581 40				Recording each patent examination per property (times number of properties)	
146 710	246 355				Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355				For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355				Request for Continued Examination (RCE)	
169 900	169 900				Request for expedited examination of a design application	
Other fee (specify)						

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Claude E. Cooke, Jr.	Registration No. (Attorney/Agent)	34,142	Telephone	713-229-1848
Signature		Date	05/30/01		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

HOU03:777254.1

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.

Express Mail Label No.
EL483884271US



09870144.053001

03C0

PATENT
017575.0680

Pursuant to 37 C.F.R. § 1.8, I hereby certify that I have information and a reasonable basis for belief that this correspondence will be deposited as first-class mail with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on August 22, 2001.

Signature

8/22/01

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

\$
\$
\$
\$
\$
\$
\$

Sevick-Muraca et al.

Group Art Unit: Unknown

Application No.: 09/870,144

Examiner: Unknown

Filed: May 30, 2001

Title: Imaging of Light Scattering Tissues with Fluorescent Contrast Agents

RESPONSE TO FORMALITIES LETTERCommissioner for Patents
Washington, D.C. 20231

Date: August 22, 2001

Dear Sir:

In response to the Formalities Letter mailed 06/22/01, the following required items are submitted herewith.

Substitute drawings are enclosed that have proper height numbers, letters and reference characters.

An abstract is provided on the attached page.

The application is now believed to be in condition for formal consideration.

Respectfully submitted,

By:

Claude E. Cooke, Jr.

Registration No. 34,142

Baker Botts L.L.P.
910 Louisiana
One Shell Plaza
Houston, Texas 77002-4995
Telephone: (713) 229-1848
Facsimile: (713) 229-2848

IMAGING OF LIGHT SCATTERING TISSUES
WITH FLUORESCENT CONTRAST AGENTS

This application is a continuation of U.S. application No. 09/367,148, filed November 22, 1999, which was the National Stage of International Application No. PCT/US/98/02354, filed February 6, 1998, which claims the benefit of U.S. Provisional Application No. 60/039,318, filed February 7, 1997.

BAKER BOTTS L.L.P.
One Shell Plaza
910 Louisiana
Houston, Texas 77002-4995

Attorney's Docket: 017575.0680

Express Mail Label No.
EL483884271US